

# CONSTITUTION

## 1. Name

The name of the Association shall be:-  
**“The Kirkcaldy Area Sports Council”**  
(hereinafter called “The Association”).

For the purposes of the Kirkcaldy Area Sports Council, the Kirkcaldy Area is deemed to include Kirkcaldy, Levenmouth, Burntisland and Kinghorn.

## 2. Aim

2.1 The aim of the association is to support and develop sustainable opportunities and build capacity for sports participation in the community.

## 3. Objects

3.1 The objects of the Association will be:

- (a) To promote interest and participation in sport in the Kirkcaldy area.
- (b) To proactively link with Fife Council (hereinafter referred to as ‘the Council’) to create sustainable, community based opportunities in sport.
- (c) To promote & encourage inter-club co-ordination and networking between the various amateur sports clubs and organisations affiliated to the association as hereinafter provided in Kirkcaldy area and in relation to specific projects.
- (d) To be representative of local sport and local sports clubs in the Kirkcaldy area and advocate on behalf of their needs.
- (e) To continue to develop and assist in the formation of new sports clubs, where none exists or where the existing clubs are unable to fulfil current needs in the Kirkcaldy area.
- (f) To encourage, with the assistance and support of Fife Council, increased and continuous participation in sport.
- (g) To work with **sportscotland** recognised national organisations in support of local implementation of their national plans and programmes.
- (h) To examine the available sports facilities in the Kirkcaldy area against current and anticipated needs and to make representations to Fife Council and any other appropriate body, from time to time in this connection.
- (i) To promote or support competitions, championships and social or other events as considered desirable.
- (j) To identify and attract additional funding to sport in the Kirkcaldy area including the distribution of any available grant awards.
- (k) To promote social inclusion through sport to benefit the community in the Kirkcaldy area.

## 4. Affiliation to the Sports Council

4.1 All clubs and organisations directly concerned with amateur sport in the Kirkcaldy area and affiliated/registered with their **sportscotland** recognised governing body may apply for affiliation to the Association. Sports which do not have a sportscotland recognised

governing body may affiliate to the Association if deemed appropriate by the committee, but may be exempt from funding depending on the policy of the funding body.

- 4.2 Clubs and organisations directly concerned with professional sport in the Kirkcaldy area may apply for affiliation to the association on the basis they are ineligible to benefit financially directly or indirectly by their affiliation.
- 4.3 Constitution, contact details, bank details including details of signatories and confirmation of appropriate access for Disclosure Scotland checks and an operational Child/Vulnerable Adult Protection Policy, for clubs whose membership may include children and/or vulnerable adults, must be provided with any application for affiliation. Updates and amendments to any of these must be provided as appropriate.
- 4.4 Individuals who are resident in the Kirkcaldy Area, but who are members of clubs out with the Kirkcaldy Area, may apply for individual membership. Where more than one individual are members of the same club those individuals may apply for Associate Club membership. Associate Clubs will be required to provide information as in 4.3 above.
- 4.5 Kirkcaldy Area Sports Council Management Committee shall retain the right to reject any application for, or to withdraw affiliation on any ground which to them appears reasonable.
- 4.6 Each club and organisation affiliated as aforesaid shall pay an annual affiliation fee, which will commence from the date of acknowledgement for a 12 month period. Such amount as may be fixed by Kirkcaldy Area Sports Council at their Annual General Meeting each year, and such fees shall be payable no later than 3 months after the due date of affiliation commencing on the date shown on the previous year's acknowledgement of acceptance.

## **5. Membership**

- 5.1 Membership shall be open regardless of nationality, age, gender, ethnic background, sexual orientation, disability, political persuasion or religious opinions to all residents, or interested members of the community, of the Kirkcaldy area.
- 5.2 Members shall be:
  - (a) 1 representative of each club/group.
  - (b) such individual members as the association, through the Management Committee, may decide to accept into the membership. All individual members, observers and advisors co-opted onto the association will be non-voting.
  - (c) 1 elected member of Fife Council

## **6. Office Bearers**

- 6.1 The Office Bearers shall consist of a Chairman, a Vice-Chairman, a Secretary and a Treasurer.
- 6.2 Only members and/or official representatives of affiliated clubs and organisations are eligible to become Office Bearers.
- 6.3 All Office Bearers shall serve for 2 years and will retire at the AGM but shall be eligible for re-election. Election and retirement of 2 Office Bearers will occur at each AGM alternating between the Chairman and Treasurer in one year and the Vice-Chairman and Secretary in the next year. The Chairman and Vice-Chairman will require to have been members of the Management Committee for a minimum of 2 years immediately preceding their election.

## **6.4 Honorary President**

- (1) Two members of the Association, eligible to attend and vote at the Annual General Meeting, shall be required to nominate an individual to be considered for the position of Honorary President. A nomination will be successful only if approved by a majority of the members present and voting at the Annual General Meeting.
- (2) Honorary Presidents shall be entitled to attend meetings of the Association in a non-voting capacity and are not required to hold Ordinary Membership, unless they hold Ordinary Membership in which case they shall have the same rights as those of an Ordinary Member.
- (3) Once an individual becomes an Honorary President they shall remain as an Honorary President for their lifetime or until they step down voluntarily, unless two members of the Association, eligible to attend and vote at the Annual General Meeting, nominate that the individual should be removed from the position of Honorary President. A nomination will be successful only if approved by a majority of the members present and voting at the Annual General Meeting.

## **7. Management Committee**

- 7.1 A Management Committee shall be elected at the Annual General Meeting to carry out the business of the Association. The Management Committee shall have the power to raise money on behalf of the Association and to do all things necessary to fulfil the objects of the Association.
- 7.2 The Management Committee shall comprise of the Chairman, Vice Chairman, Secretary, Treasurer, Fife Council Link Officer (who has no voting rights), and a maximum of eight additional general members. The Management Committee will be representative in make-up of the Association and its affiliated clubs/groups.
- 7.3 The Management Committee shall have the power to co-opt additional non-voting members who are deemed to be supportive of the Association's objects.
- 7.4 The Management Committee shall receive no remuneration for their duties, with the exception of the Secretary who will receive an honorarium each year as set at the AGM. The Association shall meet reasonable expenses for members who are "representing" or "acting on behalf" of the Association. These should be agreed in advance, and on submission of receipts, payment will be made by cheque.

## **8. Annual General Meeting**

- 8.1 Once in each year, in the month of September the committee shall convene an AGM, to which all members shall be formally invited to attend.
- 8.2 The AGM shall transact the following business:-
  1. Minutes of previous AGM
  2. Constitution
  3. Consideration of Annual Reports
  4. Consideration of Audited Accounts
  5. Honorarium
  6. Election of Office Bearers and Management Committee – all nominations should be made in writing a minimum of 24 hours prior to the AGM, with a minimum of a proposer and a seconder (who will be present at the AGM) identified. Where there are insufficient nominations prior to the AGM, nominations can be accepted from the floor.
  7. Appointment of Auditors

8. Any Other Competent Business

**9. Extraordinary General Meetings**

- 9.1 The Management Committee shall be empowered to convene an Extraordinary General Meeting, provided fourteen clear days notice is given to all members, for specific issues of policy or urgency.
- 9.2 The membership may call for an Extraordinary General Meeting provided the request and the resolution is supported by not less than 12 members of the Association, or one-third of the total membership of the Association, whichever is the smaller. The resolution shall be lodged with the Secretary who will convene the Extraordinary General Meeting within 14 days.

**10. Rules of Procedure at all Meetings**

- 10.1 Voting – all questions arising at any meeting shall be decided by the majority of those present and entitled to vote. Should a ballot be required, it will be undertaken by a show of hands of those present.
- 10.2 For the purpose of voting at General Meetings, the Annual General Meeting or an Extraordinary General Meeting each individual member shall have the right to a single vote on motions presented. Individual members will have the right to propose or second motions for consideration by the wider membership. There shall be no proxy voting.
- 10.3 In the case of equality of votes the Chairman shall have a second casting vote, which he/she will cast to maintain the status quo.
- 10.4 The Management Committee shall meet at least four times per Annum. All Management Committee meetings shall be formally recorded in a Minute Book.
- 10.5 A straight majority of the Management Committee shall constitute a quorum.
- 10.6 Public notification of Sports Council meetings will be given. Members of the public may attend all meetings in a non-voting capacity, can request any points they want raised to the Chair, by giving written notification of such points at least 7 days in advance of the meeting, which may be raised at the Chair's discretion. Management Committee only meetings are possible for operational, confidential and financial business.

**11. Finance**

- 11.1 All monies raised by or on behalf of the Association shall be applied to further the objects of the Association and no other purpose.
- 11.2 The Association may receive grant aid for redistribution to affiliate clubs and associations for general or specific purposes. Where this is re-distributed for general purposes, or grant aid is distributed from income generated, the Management Committee will agree the criteria for support and the levels of grant aid available.
- 11.3 The Treasurer shall be responsible for opening an appropriate bank account, maintaining up to date financial records and documents on behalf of the Association and for banking all monies belonging to the Association.
- 11.4 The Treasurer shall present financial statements to committee meetings and a written financial report to the Association AGM.

- 11.5 Association cheques must be signed by any two of the following Office Bearers, whose name and specimen signatures are to be lodged with the above named Bank: Chairman; Vice-Chairman; Treasurer; Secretary.
- 11.6 Signatories should not be members of the same household, where Office Bearers are from the same household, an additional bank signatory must be appointed by the Management Committee.
- 11.7 An appropriate and suitably qualified person shall be appointed by the Management Committee to examine the accounts of the Association at least once per year and present a report to the Annual General Meeting.
- 11.8 The Financial year will run from 1<sup>st</sup> July – 30<sup>th</sup> June each year.

## 12. Dissolution

- 12.1 The Management Committee by a majority may decide at any time that on the grounds of expense or otherwise, it is necessary or advisable to dissolve the Association, where this decision is made, a meeting of all Members of the Association will be called. 2/3rds of members must vote in favour of the dissolution of the organisation for the decision to stand. Members must receive 21 days notice of the meeting and information concerning the dissolution and business to be discussed.
- 12.2 If there is no AGM or no notification of an AGM in any 12 month period, the association shall be deemed to have been dissolved.
- 12.3 Any assets remaining after the repayment of any external funding, satisfaction of any proper debts and liabilities shall be applied towards purposes which the law regards as charitable and for the benefit of the inhabitants of the Kirkcaldy area as the committee may decide.

## 13. Alterations to the Constitution

- 13.1 Any proposal or resolution to change the Constitution must be decided at the Annual General Meeting or a Special General Meeting.

The Constitution as amended was adopted as the Constitution of “**Kirkcaldy Area Sports Council**” at an open and public meeting duly convened at:

Adam Smith College, St Brycedale Avenue, Kirkcaldy (venue)

on: 24 September 2009  
(date)

**Meeting Convenor:** George MacDonald (Print name)  
(Signature) \_\_\_\_\_ (Date) \_\_\_\_\_

**Minute Secretary:** Ken White (Print name)  
(Signature) \_\_\_\_\_ (Date) \_\_\_\_\_

### Others Present:

Print Name	Signature	Organisation
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